

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA



UNITED STATES OF AMERICA : SUPERSEDING
:
v. :
:
JAROD GABRIEL SEEMUNGAL : 1:23CR260-1
REMY RA ST FELIX : 1:23CR260-2
ELMER RUBEN CASTRO : 1:23CR260-3

The Grand Jury charges:

Background Allegations

1. Custodial cryptocurrency exchanges, such as Coinbase.com, enable customers to buy, sell, and store cryptocurrency. Customer funds are held by the exchange. Like in traditional banking, customers can review their account information and make transactions via exchange websites and mobile applications. Customers use a username and password to log into their accounts.

The Scheme to Defraud

2. From in or about February 2021, continuing up to and including in or about July 2023, in the County of Durham, in the Middle District of North Carolina, and elsewhere, JAROD GABRIEL SEEMUNGAL, REMY RA ST FELIX, ELMER RUBEN CASTRO, and divers others, both known and unknown to the Grand Jury, did devise and intend to devise a scheme and

artifice to defraud and for obtaining money or property, through material false pretenses, representations, and promises.

Manner and Means

3. It was part of the scheme that JAROD GABRIEL SEEMUNGAL, REMY RA ST FELIX, ELMER RUBEN CASTRO, and others would and did enrich themselves by obtaining unauthorized access to individuals' custodial cryptocurrency exchange accounts and directing the exchange to transfer cryptocurrency from the account.

COUNT ONE
(Wire Fraud Conspiracy)

4. Allegations set forth in paragraphs 1 through 3 of this Indictment are realleged and incorporated as if fully set forth herein.

5. From in or about February 2021, continuing up to and including in or about July 2023, in the County of Durham, in the Middle District of North Carolina, and elsewhere, JAROD GABRIEL SEEMUNGAL, REMY RA ST FELIX, ELMER RUBEN CASTRO, and divers others, both known and unknown to the Grand Jury, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit wire fraud, in violation of Title 18, United States Code, Section 1343.

6. It was a part and an object of the conspiracy that the defendants, JAROD GABRIEL SEEMUNGAL, REMY RA ST FELIX, ELMER RUBEN

CASTRO, and divers others, both known and unknown to the Grand Jury, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud and for obtaining money and property by means of material false and fraudulent pretenses, representations, and promises, would and did transmit and cause to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice from, through, and to the Middle District of North Carolina.

All in violation of Title 18, United State Code, Sections 1343 and 1349.

COUNT TWO
(Kidnapping Conspiracy)

7. From in or about August 2022, continuing up to and including in or about July 2023, in the County of Durham, in the Middle District of North Carolina, and elsewhere, JAROD GABRIEL SEEMUNGAL, REMY RA ST FELIX, ELMER RUBEN CASTRO, and divers others, both known and unknown to the Grand Jury, did unlawfully, willfully, and knowingly combine, conspire, confederate, and agree with each other, and with other persons, to unlawfully seize, confine, kidnap, abduct, and carry away, and hold for ransom and reward and benefit any person, and travel in interstate commerce and use means, facilities, and instrumentalities of interstate and foreign commerce in committing and in furtherance of the commission of the offense.

8. In furtherance of the conspiracy and to effect the objects of the conspiracy, the following overt acts, among others, were committed in the Middle District of North Carolina and elsewhere:

a. On or about September 12, 2022, REMY RA ST FELIX, together with others, detained Victim-1 and Victim-2 at gunpoint in the victims' home in Delray Beach, Florida.

b. On or about September 15, 2022, REMY RA ST FELIX, together with others, detained Victim-3 at gunpoint in the victim's home in Homestead, Florida and then forced Victim-3 into a car and drove him to Stuart, Florida.

c. In or about early October 2022, REMY RA ST FELIX, together with at least one other, traveled from Florida to the area of Little Elm, Texas.

d. In or about early November 2022, REMY RA ST FELIX, together with at least one other, traveled from Florida to the area of Little Elm, Texas.

e. In or about late November 2022, REMY RA ST FELIX, together with others, attempted to travel from Florida to the area of Little Elm, Texas.

f. In or about December 2022, JAROD GABRIEL SEEMUNGAL traveled from Florida to the area of Little Elm, Texas.

g. On or about December 22, 2022, multiple individuals detained Victim-4, Victim-5, Victim-6, and Victim-7 at gunpoint in the victims' home in Little Elm, Texas.

h. On or about April 8, 2023, REMY RA ST FELIX and ELMER RUBEN CASTRO traveled from Florida to Durham, North Carolina.

i. On April 11, 2023, ELMER RUBEN CASTRO, accompanied by REMY RA ST FELIX, purchased a clipboard, reflective safety vest, sunglasses, and one pair of khaki pants at a Walmart in Durham, North Carolina.

j. Between April 8, 2023, and April 12, 2023, REMY RA ST FELIX and ELMER RUBEN CASTRO surveilled the home of Victim-8 and Victim-9.

k. On or before April 12, 2023, REMY RA ST FELIX obtained an image of Victim-8's driver's license.

l. On or about April 12, 2023, REMY RA ST FELIX and ELMER RUBEN CASTRO detained Victim-8 and Victim-9 at gunpoint in the victims' home in Durham, North Carolina.

m. On or about July 24, 2023, REMY RA ST FELIX, together with others, traveled from Florida to the area of East Meadow, New York.

All in violation of Title 18, United States Code, Section 1201(c).

COUNT THREE
(Hobbs Act Robbery Conspiracy)

9. From in or about August 2022, continuing up to and including in or about July 2023, in the County of Durham, in the Middle District of North Carolina, and elsewhere, JAROD GABRIEL SEEMUNGAL, REMY RA ST FELIX, ELMER RUBEN CASTRO, and divers others, both known and unknown to the Grand Jury, did unlawfully, willfully, and knowingly conspire, combine, confederate and agree with each other, and with other persons, to unlawfully obstruct, delay and affect commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), and the movement of articles and commodities in such commerce, by robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), in violation of Title 18, United States Code, Section 1951(a).

COUNTS FOUR through SIX
(Wire Fraud)

10. Allegations set forth in paragraphs 1 through 3 of this Indictment are realleged and incorporated as if fully set forth herein.

11. On or about April 12, 2023, in the County of Durham, in the Middle District of North Carolina, and elsewhere, JAROD GABRIEL SEEMUNGAL, REMY RA ST FELIX, and ELMER RUBEN CASTRO, for the purpose of executing the above-described scheme to defraud and for obtaining money and property by means of false and fraudulent pretenses, representations and

promises, transmitted and caused to be transmitted by means of wire communications in interstate commerce, the following writings, signals, and sounds, each transmission constituting a separate offense:

COUNT	TIME (at or about)	DESCRIPTION OF THE WIRE TRANSMISSION
4	8:23 am	Command to transfer approximately 7.49386854 Ether cryptocurrency from Victim-8's Coinbase.com account
5	8:40 am	Command to transfer approximately 4.63376598 Bitcoin cryptocurrency from Victim-8's Coinbase.com account
6	8:48 am	Command to transfer approximately 1.16478113 Ether cryptocurrency from Victim-8's Coinbase.com account

All in violation of Title 18, United States Code, Sections 1343 and 2.

COUNT SEVEN
(Kidnapping)

12. On or about April 12, 2023, in the County of Durham, in the Middle District of North Carolina, JAROD GABRIEL SEEMUNGAL, REMY RA ST FELIX, and ELMER RUBEN CASTRO did unlawfully seize, confine, kidnap, abduct, and carry away, and hold for ransom and reward and benefit, Victim-8 and Victim-9, and did travel in interstate commerce and use means, facilities, and instrumentalities of interstate and foreign commerce in committing and in furtherance of the commission of the offense, in violation of Title 18, United States Code, Sections 1201(a)(1) and 2.

COUNT EIGHT
(Hobbs Act Robbery)

13. On or about April 12, 2023, in the County of Durham, in the Middle District of North Carolina, JAROD GABRIEL SEEMUNGAL, REMY RA ST FELIX, and ELMER RUBEN CASTRO did unlawfully obstruct, delay, and affect commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), and the movement of articles and commodities in such commerce, by robbery, as that term is defined in title 18, United States Code, Section 1951(b)(1), in violation of Title 18, United States Code, Sections 1951(a) and 2.

COUNT NINE
(Use of Firearm in Furtherance of Count Eight)

14. On or about April 12, 2023, in the County of Durham, in the Middle District of North Carolina, JAROD GABRIEL SEEMUNGAL, REMY RA ST FELIX, and ELMER RUBEN CASTRO, during and in relation to a crime of violence for which each may be prosecuted in a court of the United States, that is, interference with commerce by robbery, as more fully referenced in Count Eight of this Indictment, did knowingly carry and use, by brandishing, a firearm, in violation of Title 18, United States Code, Sections 924(c)(1)(A)(ii) and 2.

FORFEITURE ALLEGATION

15. The allegations contained in this Superseding Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(C), Title 18, United States Code, Section 924(d), and Title 28, United States Code, Section 2461(c).

16. Upon conviction of one or more of the offenses charged in Counts One through Eight of this Superseding Indictment, the defendants, JAROD GABRIEL SEEMUNGAL, REMY RA ST FELIX, and ELMER RUBEN CASTRO, shall forfeit to the United States any property, real or personal, which constitutes or is derived from proceeds traceable to such offense, or a conspiracy to commit such offense.

17. Upon conviction of one or more of the offenses alleged in Counts Three, Eight, and Nine of this Superseding Indictment, the defendants, JAROD GABRIEL SEEMUNGAL, REMY RA ST FELIX, and ELMER RUBEN CASTRO, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d), all right, title and interest in and to any firearms or ammunition involved in or used in the commission of the offense.

18. The property to be forfeited may include, but is not limited to:
- a. a money judgment in an amount to be determined, representing the value of the property subject to forfeiture as a result of such offense; and
 - b. 2020 BMW M8 Coupe AWD, VIN # WBSAE0C01LCD54562.
19. If any of the property described above as being subject to forfeiture as a result of any act or omission of the defendant cannot be located upon the exercise of due diligence, has been transferred or sold to or deposited with a third person, has been placed beyond the jurisdiction of the Court, has been substantially diminished in value, or has been commingled with other property which cannot be divided without difficulty, it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1), and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

All pursuant to Title 18, United States Code, Sections 981(a)(1)(C), Title 18, United States Code, Section 924(d), Rule 32.2, Federal Rules of Criminal Procedure, and Title 28, United States Code, Section 2461(c).

DATED: November 27, 2023

SANDRA J. HAIRSTON
United States Attorney


BY: ERIC L. IVERSON
Assistant United States Attorney

A TRUE BILL:


FOREPERSON ✓